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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION  
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14 SECURITIES AND EXCHANGE  
COMMISSION,

15 Plaintiff,

16 v.

17 MARK LESLIE, et al,

18 Defendants.  
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Case No. C 07-3444 JF

**APPENDIX OF AUTHORITY NOT  
PUBLISHED IN OFFICIAL  
REPORTERS IN SUPPORT OF  
REPLY BRIEF OF DEFENDANT  
KENNETH E. LONCHAR IN  
SUPPORT OF MOTION TO DISMISS  
SEC'S COMPLAINT**

Date: January 18, 2008  
Time: 9:00 a.m.  
Judge: Hon. Jeremy Fogel  
Courtroom No. 3

- 1           1.       *Baxter v. A.R. Baron & Co.*, No. 94 Civ 3913 (JGK), 1995 WL 600720 (S.D.N.Y.  
2       Oct. 12, 1995)
- 3           2.       *In re Exodus Commc'ns Sec. Litig.*, No. C01-2661 MMC160, 163, 2005 WL  
4       1869289 (N.D. Cal. Aug. 5, 2005)
- 5           3.       *In re Ross Sys. Sec. Litig.*, No. C-94-0017-DLJ, 1994 WL 583114 (N.D. Cal. July  
6       21, 1994)
- 7           4.       *In re Silicon Storage Tech. Sec. Litig.*, No. C 05-0295, 2006 U.S. Dist. LEXIS  
8       14790 (N.D. Cal. Mar. 10, 2006)
- 9           5.       *In re Tibco Software Sec. Litig.*, No. C05 2146 SBA, 2006 U.S. Dist. LEXIS  
10       36666 (N.D. Cal. May 24, 2006)
- 11           6.       *Mat-Van, Inc. v. Sheldon Good & Co. Auctions, LLC*, No. 07-CV-912-IEG  
12       (BLM), 2007 WL 3047093 (S.D. Cal. Oct. 16, 2007)
- 13           7.       *SEC v. Baxter*, No. C-05-03843 RMW, 2007 WL 2013958 (N.D. Cal. July 11,  
14       2007)
- 15           8.       *SEC v. Cedric Kushner Promotions, Inc.*, No. 04 CV 2324 (TPG), 2006 US. Dist.  
16       LEXIS 32846 (S.D.N.Y. May 23, 2006)
- 17           9.       *SEC v. Harden*, Case No. 1:05-CV-354, 2006 U.S. Dist. LEXIS 2681 (D. Mich.  
18       Jan. 12, 2006)
- 19           10.       *SEC v. Kahn*, No. 99C 6343, 2002 WL 1163723 (N.D. Ill. May 31, 2002)
- 20           11.       *SEC v. Lucent Techs. Inc.*, No. Civ. 04-2315 (WHW), 2005 WL 1206841 (D.N.J.  
21       May 20, 2005)

1           12.     *SEC v. Morris*, No. Civ. A. H-04-3096, 2005 WL 2000665 (S.D. Tex. Aug. 18,  
2 2005)

3           13.     *SEC v. Richie*, Case No. EDCV 06-63-VAP (SGLx), 2006 U.S. Dist. LEXIS  
4 45853 (C.D. Cal. May 9, 2006)

5           14.     *SEC. v. Todd*, No. 03CV2230BEN (WMC), 2006 WL 1564892 (S.D. Cal. May  
6 30, 2006)

7           15.     *SEC v. Todd*, No. 03 CV 2230 BEN, 2007 U.S. Dist. LEXIS 38985 (S.D. Cal. May  
8 30, 2007)

9 Dated: December 17, 2007

10 Respectfully submitted,

11 ORRICK, HERRINGTON & SUTCLIFFE LLP

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